



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-1001/2
RAC:wlj:kf

2015 ASSEMBLY JOINT RESOLUTION

- 1 **To amend** section 4 (2) of article VII of the constitution; **relating to:** election of chief
2 justice (second consideration).

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

This constitutional amendment, to be given second consideration by the 2015 legislature for submittal to the voters in April 2015, was first considered by the 2013 legislature in 2013 Senate Joint Resolution 57, which became 2013 Enrolled Joint Resolution 16.

The amendment directs the supreme court to elect a chief justice for a term of two years.

PROCEDURE FOR SECOND CONSIDERATION

When a proposed constitutional amendment is before the legislature on second consideration, any change in the text approved by the preceding legislature causes the proposed constitutional amendment to revert to first consideration status so that second consideration approval would have to be given by the next legislature before the proposal may be submitted to the people for ratification [see joint rule 57 (2)].

If the legislature approves a proposed constitutional amendment on second consideration, it must also set the date for submitting the proposed constitutional

amendment to the people for ratification and must determine the question or questions to appear on the ballot.

Whereas, the 2013 legislature in regular session considered a proposed amendment to the constitution in 2013 Senate Joint Resolution 57, which became 2013 Enrolled Joint Resolution 16, and agreed to it by a majority of the members elected to each of the two houses, which proposed amendment reads as follows:

SECTION 1. Section 4 (2) of article VII of the constitution is amended to read:

~~[Article VII] Section 4 (2) The justice having been longest a continuous member of said court, or in case 2 or more such justices shall have served for the same length of time, the justice whose term first expires, shall be the chief justice. The chief justice of the supreme court shall be elected for a term of 2 years by a majority of the justices then serving on the court. The justice so designated as chief justice may, irrevocably, decline to serve as chief justice or resign as chief justice but continue to serve as a justice of the supreme court.~~

Now, therefore, be it resolved by the assembly, the senate concurring, That the foregoing proposed amendment to the constitution is agreed to by the 2015 legislature; and, be it further

Resolved, That the foregoing proposed amendment to the constitution be submitted to a vote of the people at the election to be held on the first Tuesday in April 2015; and, be it further

Resolved, That the question concerning ratification of the foregoing proposed amendment to the constitution be stated on the ballot as follows:

QUESTION 1: “Election of chief justice. Shall section 4 (2) of article VII of the constitution be amended to direct that a chief justice of the supreme court shall be elected for a two-year term by a majority of the justices then serving on the court?”

(END)